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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK, AS
TRUSTEE FOR THE HOLDERS OF THE
SAMII TRUST 2006-AB7.

vs

FIDELITY NATIONAL TITLE
INSURANCE COMPANY, AS SUCCESSOR
TO UNITED CAPITAL TITLE INSURANCE
COMPANY; DOES I THROUGH X; AND
ROE CORPORATIONS I THROUGH X.

Defendants.

Case No.: 2:20-cv-02124-ART-BNW

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO CONTINUE
STAY, OR IN THE ALTERNATIVE,
FILE A PROPOSED DISCOVERY PLAN**

(Third Request)

Plaintiff, The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Holders of the SAMI II Trust 2006-AR7 (“BONY”) and Defendant, Fidelity National Title Insurance Company, as successor to United Capital Title Insurance Company (“Fidelity”), by and through their undersigned counsel, stipulate and agree as follows:

1. On March 11, 2021, BONY filed its Amended Complaint against Fidelity [ECF No. 19]:

2. Thereafter, on May 2, 2022, the Court ordered that the stay in the instant action shall be extended six (6) months through October 28, 2022 [ECE No. 51].

1 3. On October 21, 2022, the Parties filed a Joint Status Report informing the Court
2 that the Parties are evaluating whether to continue the stay of this case and requesting a thirty (30)
3 day deadline to submit a stipulation or motion to extend the stay, or in the alternative, a new
4 discovery plan [ECF No. 53];

5 4. On December 21, 2022, the Parties submitted a stipulation to extend the deadline
6 to submit a stipulation or motion to extend the stay, or in the alternative, a new discovery plan
7 until January 20, 2023 [ECF No. 58]. That stipulation remains pending the Court's approval.

8 5. Counsel for BONY needs additional time to confer with its client as to whether to
9 continue the stay of this case in light of the recent holidays. BANA requests an additional fourteen
10 (14) days, through and including February 3, 2023, to file the stipulation or motion to extend the
11 stay, or in the alternative, a new discovery plan;

12 6. Counsel for Fidelity does not oppose the requested extension;

13 7. This is the third request for an extension which is made in good faith and not for
14 purposes of delay.

15 **IT IS SO STIPULATED.**

16 DATED this 20th day of January, 2023.

17 WRIGHT, FINLAY & ZAK, LLP

18 _____
19 /s/ *Lindsay D. Dragon, Esq.*
20 Lindsay D. Dragon, Esq.
21 Nevada Bar No. 13474
22 7785 W. Sahara Ave., Suite 200
23 Las Vegas, Nevada 89117
24 *Attorneys for Plaintiff, The Bank of New*
25 *York Mellon f/k/a The Bank of New York as*
26 *Trustee for the Holders of the SAMI II Trust*
27 *2006-AR7*

16 DATED this 20th day of January, 2023.

17 SINCLAIR BRAUN LLP

18 _____
19 /s/ *Kevin S. Sinclair, Esq.*
20 Kevin S. Sinclair, Esq.
21 Nevada Bar No. 12277
22 16501 Ventura Blvd, Suite 400
23 Encino, California 91436
24 *Attorneys for Defendant, Fidelity National Title*
25 *Insurance Company, as successor to United*
26 *Capital Title Insurance Company*

25 **ORDER**
26 **IT IS SO ORDERED**

27 **DATED:** 5:11 pm, January 24, 2023

28 

BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE